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|   |   |  |                         |
|---|---|--|-------------------------|
| <b>REQUEST FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)<br/>FY 2008</b><br>(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)   |   | <b>Docket Number (Optional)</b><br>SPINE 3.0-437 CPCPCPCPCPCPCP I CON V  |                         |
| Application Number 10/663,486-Conf. #2428   |   | Filed September 16, 2003   |                         |
| For INTERVERTEBRAL SPACER DEVICE HAVING RECESSED NOTCH PAIRS FORMANIPULATION<br>USING ASURGICAL TOOL  |   |  |                         |
| Art Unit 3738   |   | Examiner B. E. Pellegrino  |                         |
| This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.<br>The requested extension and fee are as follows (check time period desired and enter the appropriate fee below): |   |  |                         |
|   |   | <u>Fee</u>   | <u>Small Entity Fee</u> |
| <input type="checkbox"/>  | One month (37 CFR 1.17(a)(1))   | \$120  | \$60                    |
| <input checked="" type="checkbox"/>   | Two months (37 CFR 1.17(a)(2))  | \$460  | \$230                   |
| <input type="checkbox"/>  | Three months (37 CFR 1.17(a)(3))  | \$1050   | \$525                   |
| <input type="checkbox"/>  | Four months (37 CFR 1.17(a)(4))   | \$1640   | \$820                   |
| <input type="checkbox"/>  | Five months (37 CFR 1.17(a)(5))   | \$2230   | \$1115                  |
| <input type="checkbox"/>  | Applicant claims small entity status. See 37 CFR 1.27.  |  |                         |
| <input type="checkbox"/>  | A check in the amount of the fee is enclosed.   |  |                         |
| <input type="checkbox"/>  | Payment by credit card. Form PTO-2038 is attached.  |  |                         |
| <input checked="" type="checkbox"/>   | The Director has already been authorized to charge fees in this application to a Deposit Account.   |  |                         |
| <input checked="" type="checkbox"/>   | The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 12-1095. I have enclosed a duplicate copy of this sheet. |  |                         |
| <b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>   |   |  |                         |
| I am the  | <input type="checkbox"/>  | applicant/inventor.  |                         |
|   | <input type="checkbox"/>  | assignee of record of the entire interest. See 37 CFR 3.71.<br>Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96). |                         |
|   | <input checked="" type="checkbox"/>   | attorney or agent of record. Registration Number 58,653  |                         |
|   | <input type="checkbox"/>  | attorney or agent under 37 CFR 1.34.<br>Registration number if acting under 37 CFR 1.34                                      |                         |
|   |   | April 21, 2008   |                         |
| Signature   |   | Date   |                         |
| William A. Di Bianca  |   | (908) 654-5000   |                         |
| Typed or printed name   |   | Telephone Number   |                         |
| NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.   |   |  |                         |
| <input type="checkbox"/>  | Total of 1 forms are submitted.   |  |                         |

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: April 21, 2008

Signature:

(William A. Di Bianca)